

1 BARRY J. PORTMAN  
2 Federal Public Defender  
3 ANGELA M. HANSEN  
4 Assistant Federal Public Defender  
5 160 West Santa Clara Street, Suite 575  
6 San Jose, CA 95113  
7 Telephone: (408) 291-7753

8 Counsel for Defendant ROBERT JAMES ASCENCIO

9

10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 \*E-FILED- 6/29/05\*

13 UNITED STATES OF AMERICA, ) No. 05-CR-00164 RMW  
14 Plaintiff, )  
15 vs. ) **STIPULATION AND  
16 ROBERT JAMES ASCENCIO, ) ORDER TO CONTINUE STATUS  
17 Defendant. ) HEARING**  
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16 Defendant, Robert James Ascencio, through his counsel, Assistant Federal Public  
17 Defender Angela M. Hansen, and government counsel, Assistant United States Attorney  
18 Matthew Harris, stipulate and agree to continue the status hearing date of June 20, 2005 until  
19 July 25, 2005 at 9:00 a.m. The parties request this continuance so that counsel for Mr. Ascencio  
20 can have additional time for defense preparation and for continuity of defense counsel.

21 The parties are discussing a possible plea in this case. Counsel for Mr. Ascencio needs  
22 additional time to review and collect her client's prior criminal records and to assess the evidence  
23 and lab reports produced in this case to better assess Mr. Ascencio's sentencing guidelines and  
24 exposure before he can enter into a plea. For these reasons, the parties stipulate and agree that  
25 the Court should reset the status hearing date to July 25, 2005 at 9:00 a.m. for possible  
26 disposition of this matter. The parties further request this continuance because counsel for Mr.  
Ascencio will be unavailable from July 8 through July 15, 2005.

1       The parties further stipulate and agree that time should continue to be excluded under 18  
2 U.S.C. §§ 3161(h)(8)(A) and (B)(iv), because the ends of justice served by the continuance  
3 requested outweigh the best interest of the defendant and the public in a speedy trial because the  
4 failure to grant such a continuance would unreasonably deny Mr. Ascencio continuity of counsel  
5 and the time necessary for effective defense preparation.

6

7 June 16, 2005

\_\_\_\_\_  
/s/  
ANGELA M. HANSEN  
Assistant Federal Public Defender

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10 June 16, 2005

\_\_\_\_\_  
/s/  
MATTHEW HARRIS  
Assistant United States Attorney

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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 UNITED STATES OF AMERICA, ) No. 05-CR-00164 RMW  
11 )  
12 Plaintiff, ) **ORDER TO**  
13 vs. ) **CONTINUE STATUS HEARING**  
14 ROBERT JAMES ASCENCIO )  
15 Defendant. )

16 Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY  
17 ORDERED that the status hearing date of June 20, 2005 is continued until July 25, 2005 at 9:00  
18 a.m. It is FURTHER ORDERED that time will continue to be excluded under 18 U.S.C. §§  
19 3161(h)(8)(A) and (B)(iv) for defense preparation and for continuity of defense counsel.

20 Dated: June 29, 2005

/S/ RONALD M. WHYTE

HONORABLE RONALD M. WHYTE  
United States District Judge

1 Distribute to:

2  
3 Ms. Angela M. Hansen  
Assistant Federal Public Defender  
160 West Santa Clara Street, Suite 575  
4 San Jose, CA 95113  
Counsel for Defendant

5 Mr. Matthew Harris  
6 Mr. Carlos Singh  
7 Assistant United States Attorney  
150 Almaden Blvd., Suite 900  
San Jose, CA 95113  
8 Counsel for the United States

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